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APPLICATION NO. FILING DATE		TE FIRS	FIRST NAMED INVENTOR		EY DOCKET NO.	CONFIRMATION NO.	
09/845,953	09/845,953 04/30/2001		Terry Wayne Liles)5 (DC-02889)	3329	
27683	7590 03	/18/2005			EXAMINER		
HAYNES AND BOONE, LLP					YIGDALL, MICHAEL J		
901 MAIN STREET, SUITE 3100 DALLAS, TX 75202		5100			RT UNIT	PAPER NUMBER	
			·	<u> </u>	2122		
				DATE MA	DATE MAILED: 03/18/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/845,953	LILES ET AL.		
Examiner	Art Unit		
Michael J. Yigdall	2122		

	Michael J. Yigdall	2122	
The MAILING DATE of this communication appe	ars on the cover sheet with th	ne correspondence add	ress
THE REPLY FILED 10 February 2005 FAILS TO PLACE THIS	APPLICATION IN CONDITION	N FOR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to filing applicant must timely file one of the following replies: (1) application in condition for allowance; (2) a Notice of App Request for Continued Examination (RCE) in compliance time periods:	a Notice of Appeal. To avoid a an amendment, affidavit, or ot eal (with appeal fee) in compli	abandonment of this app her evidence, which plac ance with 37 CFR 41.31;	es the or (3) a
a) The period for reply expires 3 months from the mailing date of	the final rejection.		
b) The period for reply expires on: (1) the mailing date of this Advi event, however, will the statutory period for reply expire later that Examiner Note: If box 1 is checked, check either box (a) or (b).	an SIX MONTHS from the mailing da	ate of the final rejection.	
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)	•		
Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension at CFR 1.17(a) is calculated from: (1) the expiration date of the shortened sta above, if checked. Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b).	nd the corresponding amount of the tutory period for reply originally set in	fee. The appropriate extension the final Office action; or (2)	on fee under 37 as set forth in (b)
NOTICE OF APPEAL	and the standard and data of filin		-4: f
 The reply was filed after the date of filing a Notice of Appwas filed on A brief in compliance with 37 CFR 4 Appeal (37 CFR 41.37(a)), or any extension thereof (37 CAPPEAR) Appeal has been filed, any reply must be filed within the the MMENDMENTS 	1.37 must be filed within two m FR 41.37(e)), to avoid dismiss	nonths of the date of filing sal of the appeal. Since a	the Notice of
3. M The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a	brief, will <u>not</u> be entered	because
(a) They raise new issues that would require further co	nsideration and/or search (see		
(b) They raise the issue of new matter (see NOTE belo	•		
(c) ☐ They are not deemed to place the application in bet appeal; and/or	ter form for appeal by material	ly reducing or simplifying	the issues for
(d) They present additional claims without canceling a NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	· –	y rejected claims.	
4. The amendments are not in compliance with 37 CFR 1.1	- **	n-Compliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s)			(
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 		ate, timely filed amendm	nent canceling
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is profile. The status of the claim(s) is (or will be) as follows:	⊠ will not be entered, or b) ☐ vided below or appended.] will be entered and an	explanation of
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: 1-3,5-12,14-21 and 23-28.			
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE		•	
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and and was not earlier presented. See 37 CFR 1.116(e). 			
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o 	vercome <u>all</u> rejections under a	ppeal and/or appellant fa	ils to provide a
showing a good and sufficient reasons why it is necessary 10. The affidavit or other evidence is entered. An explanation	•		•
REQUEST FOR RECONSIDERATION/OTHER		,	
11. The request for reconsideration has been considered bu	t does NOT place the application	on in condition for allowa	ance because:
12. Note the attached Information Disclosure Statement(s). 13. Other:	(PTO/SB/08 or PTO-1449) Pa	per No(s)	
10. [] Ottiet			

Continuation of 3.

NOTE: The proposed amendment introduces new limitations to the claims such as "configuring a memory to store a control process" and "determining the sector offset by the control process prior to an operating system being installed on the computer system" that would require further consideration and/or search.

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-UDERVISORY PATENTE